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**To:** [Jessica White](#)  
**Cc:** [Tammy\\_Ash@fws.gov](mailto:Tammy_Ash@fws.gov); [Alvie Nichols](#); [Gloria-Small Moran](#); [Gary Moore](#); [Gustavo Chavarria](#)  
**Subject:** Re: Falcon question  
**Date:** 10/05/2004 02:12 PM

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Jessica, Tammy, I hadn't thought about it like that. So far we have found that the two companies storing crude oil at the Site need to submit Tier Two reports to the TDH and they also have to have a SPCC plan in place. We are currently verifying whether they should also have minor source air permits. I have contacted the Railroad Commission to ensure they are in compliance with RRC regulations. I have asked Alvie to determine what kind of permits are required under the states rules, including RCRA.

Gloria, what do you think? Should NORCO be classified as a RCRA facility, since "technically" part of it is still operating and the companies are leasing from NORCO.

Thanks.

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Assigned Sites for Investigation and Remediation:  
Brine Service Company Superfund Site (Corpus Christi, Texas) -  
<http://www.epa.gov/earth1r6/6sf/pdf/brine.pdf>  
Falcon Refinery Site (Ingleside, Texas) -  
<http://www.epa.gov/earth1r6/6sf/pdf/falcon.pdf>  
Many Diversified Interests, Inc.; Superfund Site (Houston, Texas) -  
<http://www.epa.gov/earth1r6/6sf/pdf/mdi.pdf>  
Star Lake Canal Superfund Site (Port Neches, Texas) -  
<http://www.epa.gov/earth1r6/6sf/pdf/starlake.pdf>  
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To: Rafael Casanova/R6/USEPA/US@EPA  
cc: [Tammy\\_Ash@fws.gov](mailto:Tammy_Ash@fws.gov)  
Subject: Falcon question

10/05/2004 01:46 PM

Hi Rafael,  
I was just talking to Tammy Ash, a trustee with US FWS. We had this question (see below) which we were hoping that you could answer.



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Thank  
you.

I understand now why the consultant is using the Skinner list for RCRA sites. Technically a portion of Falcon is still operating since Superior is leasing tank storage and using pipeline transfer...a fact which is not mentioned in the draft RI/FS. I'm not sure if that is enough for it to be classified under RCRA as an operating facility. And of course it begs the question how can you clean up and "close" a Superfund site that has ongoing operations?

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